

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KALYN STEPHENS,

Plaintiff,

-against-

GREYSTAR,

Defendant.

23-CV-2541 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated March 27, 2023, the Court directed Plaintiff, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP”) or pay the \$402.00 in fees required to file a civil action in this court.<sup>1</sup> (ECF 4.) That order specified that failure to comply would result in dismissal of the complaint. On April 25, 2023, Plaintiff filed a notice of interlocutory appeal to the United States Court of Appeals for the Second Circuit, appealing the Court’s March 27, 2023 order. (ECF 5.) By Mandate dated August 3, 2023, the Court of Appeals dismissed the appeal. (ECF 6.)

Plaintiff has not filed an IFP application or paid the fees. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

---

<sup>1</sup> Plaintiff originally filed this action in the United States District Court for the Middle District of Georgia. *See Stephens v. Greystar*, No. 5:23-CV-0078 (M.D. Ga. Mar. 1, 2023). By order dated March 1, 2023, the Middle District of Georgia transferred the action to this court. (ECF 2.)

The Clerk of Court is directed to enter judgment in this action.

SO ORDERED.

Dated: August 30, 2023  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge